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June 22, 2010

REFERRAL ORDER

Hon. Sandra L. Townes
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Plaintiff's motion to remand this matter to
State court is respectfully referred to Magistrate
Judge Leyes to hear and determine.

Sor ordered: s/ SLT

Re: *Robert I. Toussie v. Smithtown Bancorp, Inc., et al.*, Civ. No. 2:10-cv-02179 U.S.D.J.
(SLT) (RER)

Dear Judge Townes:

We represent Plaintiff Robert I. Toussie in the above-captioned matter. Enclosed please find courtesy copies of the following papers, all of which have been filed by ECF, concerning Plaintiff's motion to remand:

- Letter from Scott S. Balber to William M. Regan (June 1, 2010);
- Notice of Motion to Remand;
- Plaintiff's Memorandum of Law In Support of His Motion to Remand;
- Declaration of Scott S. Balber in Support of Plaintiff's Motion to Remand, with Exhibits A to C;
- Letter from William M. Regan to Scott S. Balber (June 15, 2010);
- Defendants' Memorandum of Law in Opposition to Plaintiff's Motion to Remand;
- Declaration of Bruce G. Vanyo in Opposition to Plaintiff's Motion to Remand, with Exhibits A to M; and
- Plaintiff's Reply Memorandum of Law in Further Support of His Motion to Remand.

Plaintiff requests that oral argument be held on the matter.

Please note that the initial moving papers, dated June 1, 2010, include a caption reflecting that the case was originally before U.S. District Judge Sandra J. Feuerstein and



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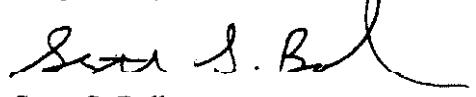
Hon. Sandra L. Townes

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June 22, 2010

U.S. Magistrate Judge William D. Wall, before the action was transferred to Your Honor by an order dated June 4, 2010. Similarly, Plaintiff's moving papers do not specify a return date, per Judge Feuerstein's individual rules.

Respectfully submitted,



Scott S. Balber

Enclosures

cc: Hon. Ramon E. Reyes, Jr. (VIA ECF)
William M. Regan, Esq. (w/o encl.)
Bruce G. Vanyo, Esq. (w/o encl.)

